

1 98-20-HO

2 BEFORE THE ARIZONA STATE BOARD OF PHARMACY

3 In the Matter of: )  
4 STUART M. GETHNER ) FINDINGS OF FACT, CONCLUSIONS  
Certificate of ) OF LAW AND BOARD ORDER  
5 Registration No. 8860 ) NO. 98-0020-PHR  
6 \_\_\_\_\_ )

7 DIRECTED TO: STUART M. GETHNER  
8 5900 E. Donna Lane  
Paradise Valley, AZ 85253-1733

9 This Matter came before the Arizona State Board of Pharmacy on  
10 the 17th day of September, 1998 pursuant to Notice of Hearing Number  
11 98-20-H (hereinafter referred to as "Notice").

12 Daniel J. Jacob, president, presided with members Susan V. Ford,  
13 Dennis K. McAllister, Gerald G. Ritt, William E. Jones and Eugene  
14 Drake in attendance and participating therein.

15 The State was represented by the Office of the Attorney General,  
16 Nancy Beck, Assistant Attorney General.

17 The respondent STUART M. GETHNER was not present and was not  
18 represented by counsel.

19 The Board, after consideration of the evidence and testimony  
20 presented, hereby makes the following Findings of Fact, Conclusions of  
21 Law and Board Order.

22 FINDINGS OF FACT

23 I

24 1. STUART M. GETHNER is the holder of Certificate of  
25 Registration Number 8860 issued by the Arizona State Board of Pharmacy  
26 which permits the holder to practice pharmacy in the State of Arizona.

1           2. That the evidence and testimony presented in this Matter did  
2 sustain allegations in paragraph IV of the Notice, to wit:

3           On or about the 8th day of June, 1998, STUART M. GETHNER pled  
4 guilty to two felonies involving the practice of pharmacy or the  
5 distribution of drugs pursuant to Plea Agreement No. CR98-340-PhxPGR  
6 in United States District Court, District of Arizona.

7                           CONCLUSIONS OF LAW

8                                   II

9           1. The Board concludes that it has jurisdiction in this Matter  
10 pursuant to A.R.S. § 32-1927 (A)(2), and A.R.S. § 32-1927(A)(10).

11           2. The conduct alleged and sustained in Paragraph IV of the  
12 Notice constitutes violations of A.R.S. § 32-1927(A)(2) and A.R.S. §  
13 32-1927(A)(10).

14                           ORDER

15                                   III

16           The Certificate of Registration Number 8860 issued to STUART M.  
17 GETHNER is hereby revoked, effective 15 days from the date of this  
18 Order.

19           STUART M. GETHNER is hereby notified that he has a right to  
20 petition this Board for a rehearing within fifteen (15) days after  
21 receipt of this Order pursuant to provisions of A.A.C. § R4-23-109.


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26   . . .

1 DATED this 17<sup>th</sup> day of September, 1998

2 ARIZONA STATE BOARD OF PHARMACY

3  
4  
5 SEAL

By

  
Llyn A. Lloyd  
Executive Director

6  
7 Copies of the foregoing Finding  
8 of Fact, Conclusions of Law and  
9 Board Order mailed by certified  
mail this 25<sup>th</sup> day of September,  
1998 to:

10 STUART M. GETHNER  
11 5900 E. Donna Lane  
12 Paradise Valley, AZ 85253-1733

13 and by Courier Mail to:

14 Nancy Beck  
15 Assistant Attorney General  
16 Attorney for the State  
17 1275 W. Washington  
18 Phoenix, AZ 85007

19 and

20 Terri Skladany  
21 Assistant Attorney General  
22 Solicitor General's Office  
23 1275 W. Washington  
24 Phoenix, AZ 85007  
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